

Remarks

Claims 7-15, and 18-24 were pending.

Claims 7, 8, 11-14, 20, 21, 23, and 24 have been cancelled.

Claims 9, 10, 15, 19, and 22 have been amended.

No new matter has been added.

Claim Amendments

Claims 9, 10, 15, 19, and 22 have been amended. Support for the new and amended claims can be found in the application as filed, for example, on pages 9-10 and FIGS. 4 and 5. No new matter has been added.

Claim Rejections – 35 U.S.C. § 112

Claim 8 stands rejected under 35 U.S.C. 112, second paragraph. Claim 8 is cancelled.

Claims 9, 10, 15, 19, and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As amended, claim 15 recites “at least a first portion of functionality of a control plane protocol” and “a second portion of the functionality of the control plane protocol that is separate and distinct from the first portion of the functionality.” Claim 19 and 22 include similar elements. Examples of such portions are provided on pages 9-10 of the application. For example, the first portion of functionality can be the forwarding plane update functionality. A second portion can be the link specific functions. A second portion can also include the protocol-specific functions given on page 9. Link specific functions, protocol-specific functions are described as distinct from forwarding plane update functions. Accordingly, after reading the specification, one skilled in the art would understand the claimed subject matter. The Applicant respectfully requests that the Examiner withdraw the rejection of claims 9, 10, 15, 19, and 22.

Claim Rejections - 35 USC § 101

Claims 9, 10, are 15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In particular, the Examiner argued that claims 9, 10, are 15 were directed solely to software components.

Although the Applicant disagrees, independent claim 15 has been amended to recite a control card, a forwarding card, and the like. Accordingly, claim 15 is no longer directed solely to software components. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection of claims 9, 10, are 15.

Claim Rejections - 35 USC § 103

Claims 9, 10, 15, 19, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Everdell (US Publication 2002/0165961) further in view of Crump (US Patent 6999454).

As amended, claim 15 recites that "each of the control card and the at least one forwarding card is configured to obtain information about the functionality of the control plane protocol and to setup connections among the functionality of the control plane protocol implemented on the control card and the at least one forwarding card such that the functionality implemented on the other cards is presented to the functionality implemented on the card as a process running on the card." That is, the functionality implemented on a particular card is presented to other cards as if it was running as a process on that card. Claims 19 and 22 include similar elements.

Everdell and Crump does not teach such presentation of the functionality. Crump does teach communication over a bus for control plane traffic. Crump col. 6, ll. 48-50. Although Everdell has a wealth of information on network management and resources for a control plane, Everdell does not appear to teach the presentation of claim 15. Moreover, the portions of the functionality recited in claim 15 are all portions of functionality of a control plane protocol. However, the MCD, SRM, LRM, and the like recited by the Examiner appear to not be part of a control plane protocol or functionality of such a protocol. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection of claims 9, 10, 15, 19, and 22.

Conclusion

For the reasons presented above, reconsideration and allowance of the pending claims is requested. Please telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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